

UNITED STATES DISTRICT COURT
PROBATION AND PRETRIAL SERVICES
NORTHERN DISTRICT OF TEXAS



UNITED STATES OF AMERICA)

v.)

TONYA BLACKWOOD)

Case No. 4:15-CR-00151-O(3)

U.S. DISTRICT COURT
 NORTHERN DISTRICT OF TEXAS

FILED

SEP - 3 2015

Report of Violation of Conditions of Pretrial Release

CLERK, U.S. DISTRICT COURT

By Deputy

COMES NOW Robert Honstein, U.S. Probation Officer, presenting a report to the court upon the conduct of defendant, Tonya Blackwood, who was placed on pretrial release supervision by the Honorable U.S. Magistrate Judge Jeffrey L. Cureton sitting in the court at Fort Worth, Texas, on June 18, 2015, under the following conditions:

(7m) The defendant must not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(7n) The defendant must submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

The undersigned has information that the defendant has violated such conditions in each of the following respects:

On August 20, 2015, the defendant reported to the U.S. Probation Office in Fort Worth, Texas and failed to produce a urine sample as instructed. The defendant stated she was not ready, but she agreed to return back shortly on this date for her drug test. U.S. Probation Officer Robert Honstein contacted the defendant on her cell phone about two hours later at 4:25PM, and the defendant reported she was at a location in or near Parker County, Texas and would have a difficult time making it back to the Fort Worth probation office before 5:00PM. The defendant was instructed to report to the Fort Worth probation office the next day at 11:00AM.

On August 21, 2015, the defendant reported to the Fort Worth probation office and stated she was having incontinence medical issues and was not sure if she would be able to produce a urine sample for drug testing. The defendant was advised that drug testing was a mandatory condition of her pretrial release, and she would have to comply. The defendant subsequently submitted a urine sample on this date that tested positive for amphetamine, and the specimen was forwarded to the Alere national toxicology lab for further analysis.

On August 29, 2015, a report was received from the Alere lab indicating the specimen submitted by the defendant on August 21, 2015 was 69% positive for D-Methamphetamine (street meth).

On September 1, 2015, Officer Honstein conducted a surprise home visit at the defendant's last reported residence for the purpose of confronting the defendant regarding illicit drug use; however, the defendant was not present and her friend, Billy, reported that the defendant was currently hospitalized at John Peter

Smith Hospital. The defendant later contacted Officer Honstein on his cell phone and advised she was hospitalized due to fluid in her lungs. A John Peter Smith Progressive Care Unit Nurse also contacted Officer Honstein and confirmed that the defendant has been hospitalized since August 24, 2015 and is expected to remain hospitalized for another 24 to 72 hours.

The undersigned suggest to the court that a summons be issued and the defendant appear before a judge of this court to determine whether the defendant's conditions of pretrial release should be revoked.

I declare under penalty of perjury that the foregoing
is true and correct.

Executed on September 2, 2015

Approved,

s/Robert Honstein
U.S. Probation Officer
Ft Worth
817-900-1876
Fax: 817-978-3726

s/Cecilio Bustamante
Supervising U.S. Probation Officer
214-753-2506

Order

Having considered the report of the Probation Office pertaining to possible violations by defendant, Tonya Blackwood, of his/her conditions of pretrial release, the court ORDERS that:

- ☐ No action be taken.
- ☐ The Order Setting Conditions of Release is modified to include the following:
- ☒ A summons be issued and the defendant appear before a judge of this court to determine whether his/her conditions of pretrial release should be revoked.
- ☐ A violator's warrant be issued, and the above-named defendant be arrested forthwith and brought before a judge of this court to determine whether his/her conditions of pretrial release should be revoked. Petition and warrant sealed and not be distributed to counsel of record until effectuated.
- ☒ The office of the U.S. Attorney for the Northern District of Texas file a motion to revoke the conditions of the defendant's pretrial release, consistent with the information contained in the foregoing Report, and take such steps as are necessary to present such motion at the hearing thereon.
- ☒ File under seal until further order of the Court.


Jeffrey L. Cureton
U.S. Magistrate Judge

Date

9/3/15